

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TEGRE MATLOCK,

Plaintiff

v.

CLARK COUNTY DETENTION CENTER,
et al.

Defendants

Case No. 2:20-cv-02024-RFB-VCF

ORDER

I. DISCUSSION

On January 7, 2021, this Court granted (in part) Plaintiff's motion for extension of time (ECF No. 5) and ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action on or before March 8, 2021. (ECF No. 6 at 2). On March 15, 2021, Plaintiff filed his application to proceed *in forma pauperis* that was fully complete, except it was missing page 3 of the application. (ECF No. 8). As such, the Court denies Plaintiff's application at ECF No. 8 because it is incomplete. However, the Court will allow Plaintiff one final opportunity to file a fully complete application to proceed *in forma pauperis*. Plaintiff shall file his fully complete application to proceed *in forma pauperis* on or before **April 19, 2021**. Absent unusual circumstances, the Court will not grant any further extensions of time.

To apply for *in forma pauperis* status, Plaintiff must submit all three of the following documents to the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),
- (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and
- (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

If Plaintiff is unable to file a fully complete application to proceed *in forma pauperis* with all three required documents or pay the full \$400 filing fee on or before **April 19, 2021**, this case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court when Plaintiff is either able to acquire all three of the documents needed to file a fully complete application to proceed *in forma pauperis* or pays the full filing fee.

A dismissal without prejudice means Plaintiff does not give up the right to refile the case with the Court, under a new case number, when Plaintiff has all three documents needed to submit with an application to proceed *in forma pauperis*. Alternatively, Plaintiff may choose not to file an application to proceed *in forma pauperis* and instead pay the full filing fee of \$400 on or before **April 19, 2021** to proceed with this case.

The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but the Court will not file the complaint unless and until Plaintiff timely files a fully complete application to proceed *in forma pauperis* with all three documents or pays the full \$400 filing fee.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 8) is denied without prejudice to file a new fully complete application to proceed *in forma pauperis* with all three documents.

IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved form application to proceed *in forma pauperis* by an inmate, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that on or before **April 19, 2021**, Plaintiff will either pay the full \$400 filing fee for a civil action (which includes the \$350 filing fee and the \$50 administrative fee) or file with the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

1 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
2 **previous six-month period.**

3 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete
4 application to proceed *in forma pauperis* with all three documents or pay the full \$400
5 filing fee for a civil action on or before **April 19, 2021**, this case will be subject to dismissal
6 without prejudice for Plaintiff to refile the case with the Court, under a new case number,
7 when Plaintiff has all three documents needed to file a complete application to proceed
8 *in forma pauperis* or pays the full filing fee.

9 IT IS FURTHER ORDERED that the Clerk of the Court will retain Plaintiff's
10 complaint (ECF No.1-1) but will not file it at this time.

11 DATED: 3-17-2021



12
13 UNITED STATES MAGISTRATE JUDGE